



House of Representatives

General Assembly

File No. 593

January Session, 2015

Substitute House Bill No. 6998

House of Representatives, April 13, 2015

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 3 of special act 14-23 is amended to read as
2 follows (*Effective from passage*):

3 (a) Notwithstanding any provision of the general statutes, the
4 Commissioner of Transportation, after obtaining the approval of the
5 Commissioner of Economic and Community Development, shall
6 convey to the city of New Haven a parcel of land located in the city of
7 New Haven and any improvement upon said parcel, at a cost equal to
8 the administrative costs of making such conveyance. Said parcel of
9 land has an area of approximately 6.95 acres and is identified as lot
10 1100 in Block 603 of city of New Haven Tax Assessor's Map 181,
11 located at 470 James Street. The conveyance shall be subject to the
12 approval of the State Properties Review Board.

13 (b) The city of New Haven shall use said parcel of land and any
14 improvement upon said parcel for municipal purposes, including the
15 relocation of public service departments, and for economic
16 development purposes. If the city of New Haven:

17 (1) Does not use said parcel or improvement for said purposes;

18 (2) Does not retain ownership of all of said parcel or improvement;
19 or

20 (3) Leases all or any portion of said parcel or improvement, [;]

21 the parcel and improvement shall revert to the state of Connecticut.

22 [(c) The state shall not be liable for any costs or claims related to the
23 pollution or contamination on or emanating from the parcel or the
24 remediation of such pollution or contamination, which pollution or
25 contamination resulted from a discharge, spillage, uncontrolled loss,
26 seepage or filtration on said parcel prior to the conveyance of said
27 parcel.]

28 [(d)] (c) The State Properties Review Board shall complete its review
29 of the conveyance of said parcel of land not later than thirty days after
30 it receives a proposed agreement from the Department of
31 Transportation. The land shall remain under the care and control of the
32 Department of Transportation until the land is remediated to the
33 criteria established for industrial and commercial properties in
34 groundwater classification GB areas as set forth in regulations adopted
35 pursuant to section 22a-133k of the general statutes, and a conveyance
36 is made in accordance with the provisions of this section. The State
37 Treasurer shall execute and deliver any deed or instrument necessary
38 for a conveyance under this section, which deed or instrument shall
39 include provisions to carry out the purposes of [subsections (b) and (c)]
40 subsection (b) of this section. The Commissioner of Transportation
41 shall have the sole responsibility for all other incidents of such
42 conveyance.

43 Sec. 2. (Effective from passage) (a) Notwithstanding any provision of

44 the general statutes, the Commissioner of Transportation shall convey
45 to the city of New Haven a parcel of land located in the city of New
46 Haven, at no cost. Said parcel of land has an area of approximately 5
47 acres and is identified as the parcel of land located at 101 College
48 Street, bounded by Church Street, Martin Luther King Jr. Boulevard,
49 College Street and South Frontage Road, and further identified as a
50 portion of the parcel on the map entitled "Connecticut Department of
51 Transportation, Bureau of Highways, Right of Way Map, Town of
52 New Haven, Oak Street Connector, From Howe Street Easterly to the
53 Connecticut Turnpike, dated February 20, 1975, Map Number 92-10,
54 Sheet No. 2 of 3." The conveyance shall be subject to the approval of
55 the State Properties Review Board.

56 (b) The city of New Haven shall use said parcel of land for economic
57 development purposes. If the city of New Haven:

- 58 (1) Does not use said parcel for said purposes;
59 (2) Does not retain ownership of all of said parcel; or
60 (3) Leases all or any portion of said parcel,
61 the parcel shall revert to the state of Connecticut.

62 (c) The State Properties Review Board shall complete its review of
63 the conveyance of said parcel of land not later than thirty days after it
64 receives a proposed agreement from the Department of
65 Transportation. The land shall remain under the care and control of
66 said department until a conveyance is made in accordance with the
67 provisions of this section. The State Treasurer shall execute and deliver
68 any deed or instrument necessary for a conveyance under this section,
69 which deed or instrument shall include provisions to carry out the
70 purposes of subsection (b) of this section. The Commissioner of
71 Transportation shall have the sole responsibility for all other incidents
72 of such conveyance.

73 Sec. 3. (*Effective from passage*) (a) Notwithstanding any provision of
74 the general statutes, the Commissioner of Energy and Environmental

75 Protection shall convey to the city of Milford three parcels of land
76 located in the city of Milford, at a cost equal to the administrative costs
77 of making such conveyance. The first parcel of land has an area of
78 approximately .28 acre and is identified as a triangular portion of land
79 located on East Broadway and south of the Milford Animal Control
80 facility. The second parcel of land is .94 acre and is identified as an L-
81 shaped portion of land located north of the Milford Animal Control
82 facility. The first and second parcels are further identified as portions
83 of the eastern portion of a parcel of land depicted on a map entitled
84 "Plan of Property of State of Connecticut Including Land to be
85 Acquired from United Illuminating Co. & City of Milford, Silver Sands
86 State Park, Milford, Connecticut dated August 6, 1979, Additions
87 January 1980; February 29, 1980; May 1, 1980; and June 17, 1980, Sheet
88 1 of 2". The third parcel of land has an area of 3.51 acres of land and is
89 identified as a parcel of land including the Nettleton and Service Road
90 portions and is further identified as a portion of the western portion of
91 a parcel of land depicted on said map. The conveyance shall be subject
92 to the approval of the State Properties Review Board.

93 (b) The city of Milford shall use said parcels of land for municipal
94 purposes, including to ensure public access to open space and to the
95 Milford Animal Control Shelter, to mitigate parking demand, to
96 promote public health and safety by ensuring emergency access and to
97 create coastal retreat areas to enhance storm resiliency. If the city of
98 Milford:

99 (1) Does not use any of said parcels for said purposes;

100 (2) Does not retain ownership of any of said parcels; or

101 (3) Leases all or any portion of any of said parcels,

102 the parcel at issue shall revert to the state of Connecticut.

103 (c) The State Properties Review Board shall complete its review of
104 the conveyance of said parcels of land not later than thirty days after it
105 receives a proposed agreement from the Department of Energy and

106 Environmental Protection. The land shall remain under the care and
107 control of said department until a conveyance is made in accordance
108 with the provisions of this section. The State Treasurer shall execute
109 and deliver any deed or instrument necessary for a conveyance under
110 this section, which deed or instrument shall include provisions to carry
111 out the purposes of subsection (b) of this section. The Commissioner of
112 Energy and Environmental Protection shall have the sole responsibility
113 for all other incidents of such conveyance.

114 Sec. 4. (*Effective from passage*) (a) Notwithstanding any provision of
115 the general statutes, the Commissioner of Education shall convey to
116 the city of Stamford a parcel of land and any improvements upon said
117 parcel located in the city of Stamford, at a cost equal to the
118 administrative costs of making such conveyance. Said parcel of land
119 has an area of approximately 6.6 acres and is identified as a portion of
120 the 18.6-acre parcel located in Lot 3 Block 242 of Stamford Tax
121 Assessor's Map 114 and contains the Cubeta Stadium. Said parcel is
122 further identified as the parcel depicted on a map entitled "J.M. Wright
123 Technical School, Stamford, Conn., Revised Location of Baseball
124 Diamond and Bleachers, Drawing No. 156-506, dated May 15, 1958,
125 prepared by Francis L. Mayer, Architect". The conveyance shall be
126 subject to the approval of the State Properties Review Board.

127 (b) The city of Stamford shall use said parcel of land and any
128 improvement upon said parcel for recreational purposes. If the city of
129 Stamford:

130 (1) Does not use said parcel or improvement for said purposes;

131 (2) Does not retain ownership of all of said parcel or improvement;
132 or

133 (3) Leases all or any portion of said parcel,

134 the parcel shall revert to the state of Connecticut.

135 (c) The State Properties Review Board shall complete its review of
136 the conveyance of said parcel of land not later than thirty days after it

137 receives a proposed agreement from the Department of Education. The
138 land shall remain under the care and control of said department until a
139 conveyance is made in accordance with the provisions of this section.
140 The State Treasurer shall execute and deliver any deed or instrument
141 necessary for a conveyance under this section, which deed or
142 instrument shall include provisions to carry out the purposes of
143 subsection (b) of this section. The Commissioner of Education shall
144 have the sole responsibility for all other incidents of such conveyance.

145 Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of
146 the general statutes, the Commissioner of Transportation shall convey
147 to the town of Farmington a portion of a parcel of land located in the
148 town of Farmington, at a cost equal to the administrative costs of
149 making such conveyance, after the commissioner determines that such
150 portion is not necessary for highway purposes. Said parcel of land has
151 an area of approximately 2.54 acres and the portion to be conveyed
152 shall be equivalent to the portion the commissioner determines is not
153 necessary for highway purposes. Said parcel is identified as a portion
154 of the parcel shown on a map entitled "Compilation Plan; Town of
155 Farmington; Map Showing Land Acquired from Parsons Properties,
156 LLC by the State of Connecticut Department of Transportation; Safety
157 and Traffic Operational Improvements on Route 4 (Farmington Ave.),
158 March 2009", map number 5773 of the Farmington Land Records and is
159 designated by the Department of Transportation as File No. 51-260.
160 The conveyance shall be subject to the approval of the State Properties
161 Review Board.

162 (b) The town of Farmington shall use said parcel of land to be
163 conveyed for economic development purposes. If the town of
164 Farmington:

165 (1) Does not use said parcel for said purposes;

166 (2) Does not retain ownership of all of said parcel, except for a sale
167 of said land for economic development purposes; or

168 (3) Leases all or any portion of said parcel, except for a lease for

169 economic development purposes,
170 the parcel shall revert to the state of Connecticut. Any funds received
171 from the town of Farmington from a sale or lease of said parcel for
172 economic development purposes shall be transferred to the State
173 Treasurer for deposit in the General Fund.

174 (c) Said parcel of land shall be conveyed (1) subject to the existing
175 defined sightline easement, easement to slope and non-access highway
176 lines in favor of the state of Connecticut and a sewer easement in favor
177 of Jose R. Gaztambide, and (2) with the right to use a strip of land of
178 Jose R. Gaztambide for a sewer pipe.

179 (d) The State Properties Review Board shall complete its review of
180 the conveyance of said parcel of land not later than thirty days after it
181 receives a proposed agreement from the Department of
182 Transportation. The land shall remain under the care and control of
183 said department until a conveyance is made in accordance with the
184 provisions of this section. The State Treasurer shall execute and deliver
185 any deed or instrument necessary for a conveyance under this section,
186 which deed or instrument shall include provisions to carry out the
187 purposes of subsections (b) and (c) of this section. The Commissioner
188 of Transportation shall have the sole responsibility for all other
189 incidents of such conveyance.

190 Sec. 6. (*Effective from passage*) (a) Notwithstanding any provision of
191 the general statutes, the Commissioner of Energy and Environmental
192 Protection shall convey to the city of New Haven the Fort Nathan Hale
193 Park Pier located on the New Haven Harbor in the city of New Haven,
194 at a cost equal to the administrative costs of making such conveyance.
195 The conveyance shall be subject to the approval of the State Properties
196 Review Board.

197 (b) The city of New Haven shall use said pier for recreational
198 purposes. If the city of New Haven:

199 (1) Does not use said pier for said purposes;

200 (2) Does not retain ownership of all of said pier; or

201 (3) Leases all or any portion of said pier,

202 the pier shall revert to the state of Connecticut.

203 (c) The State Properties Review Board shall complete its review of
204 the conveyance of said pier not later than thirty days after it receives a
205 proposed agreement from the Department of Energy and
206 Environmental Protection. The pier shall remain under the care and
207 control of said department until a conveyance is made in accordance
208 with the provisions of this section. The State Treasurer shall execute
209 and deliver any deed or instrument necessary for a conveyance under
210 this section, which deed or instrument shall include provisions to carry
211 out the purposes of subsection (b) of this section. The Commissioner of
212 Energy and Environmental Protection shall have the sole responsibility
213 for all other incidents of such conveyance.

214 Sec. 7. (*Effective from passage*) (a) Notwithstanding any provision of
215 the general statutes, the Military Department shall convey to the
216 borough of Naugatuck a parcel of land located in the borough of
217 Naugatuck and any improvements upon said parcel, at a cost equal to
218 the administrative costs of making such conveyance, provided such
219 costs are approved by the legislative body of the borough. If said
220 legislative body does not approve such costs, no conveyance shall be
221 made pursuant to this section. Said parcel of land has an area of
222 approximately 3.5 acres and is identified as the National Guard
223 Armory located at 607 Rubber Avenue, and is further described in a
224 Warranty Deed dated November 30, 1949, recorded in Volume 104 at
225 pages 322 to 323 of the Land Records of the Borough of Naugatuck.
226 The conveyance shall be subject to the approval of the State Properties
227 Review Board.

228 (b) The borough of Naugatuck shall use said parcel of land and
229 improvements for educational, parking or recreational purposes. If the
230 borough of Naugatuck:

- 231 (1) Does not use said parcel or improvements for said purposes;
232 (2) Does not retain ownership of all of said parcel or improvements;
233 or
234 (3) Leases all or any portion of said parcel or improvements,
235 the parcel shall revert to the state of Connecticut.

236 (c) The State Properties Review Board shall complete its review of
237 the conveyance of said parcel of land and improvements not later than
238 thirty days after it receives a proposed agreement from the Military
239 Department. The land and improvements shall remain under the care
240 and control of said department until a conveyance is made in
241 accordance with the provisions of this section. The State Treasurer
242 shall execute and deliver any deed or instrument necessary for a
243 conveyance under this section, which deed or instrument shall include
244 provisions to carry out the purposes of subsection (b) of this section.
245 The Military Department shall have the sole responsibility for all other
246 incidents of such conveyance.

247 Sec. 8. (*Effective from passage*) The state of Connecticut shall release
248 all rights to a right-of-way easement over a parcel, as first recorded in a
249 warranty deed dated April 8, 1940, in Volume 73 at page 515 of the
250 town of Stafford Land Records and rerecorded in a warranty deed
251 dated October 21, 1954, in Volume 92 at page 489 of said Land Records.
252 The State Treasurer shall execute and deliver any instrument necessary
253 to effect such release.

254 Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of
255 the general statutes, the Commissioner of Economic and Community
256 Development shall convey to the city of New Britain a parcel of land
257 located in the city of New Britain, at a cost equal to the administrative
258 costs of making such conveyance. Said parcel of land has an area of
259 approximately .32 acre and is identified as the parcel described in a
260 deed dated March 12, 1996, and recorded in Volume 1217 at page 438
261 of the city of New Britain Land Records. The conveyance shall be

262 subject to the approval of the State Properties Review Board.

263 (b) The city of New Britain shall use said parcel of land for open
264 space purposes. If the city of New Britain:

265 (1) Does not use said parcel for said purposes;

266 (2) Does not retain ownership of all of said parcel; or

267 (3) Leases all or any portion of said parcel,

268 the parcel shall revert to the state of Connecticut.

269 (c) The State Properties Review Board shall complete its review of
270 the conveyance of said parcel of land not later than thirty days after it
271 receives a proposed agreement from the Department of Economic and
272 Community Development. The land shall remain under the care and
273 control of said department until a conveyance is made in accordance
274 with the provisions of this section. The State Treasurer shall execute
275 and deliver any deed or instrument necessary for a conveyance under
276 this section, which deed or instrument shall include provisions to carry
277 out the purposes of subsection (b) of this section. The Commissioner of
278 Economic and Community Development shall have the sole
279 responsibility for all other incidents of such conveyance.

280 Sec. 10. (*Effective from passage*) (a) Notwithstanding any provision of
281 the general statutes, the Commissioner of Transportation shall convey
282 to the town of New Milford a parcel of land located in the town of
283 New Milford, at a cost equal to the administrative costs of making such
284 conveyance. Said parcel of land has an area of approximately .29 acre
285 and is identified as the release area depicted in a map entitled
286 "Compilation Plan, Town of New Milford, Map Showing Land
287 Released to- By the State of Connecticut Department of Transportation,
288 Danbury Road (U.S. Routes 7 & 202) at Sullivan Road, Scale 1:500,
289 Thomas A. Harley, P.E., December 2014, Town No. 95, Project No. 95-
290 219, Serial No. 24A, Sheet 1 of 1". The conveyance shall be subject to
291 the approval of the State Properties Review Board.

292 (b) The town of New Milford shall use said parcel of land for open
293 space purposes. If the town of New Milford:

294 (1) Does not use said parcel for said purposes;

295 (2) Does not retain ownership of all of said parcel; or

296 (3) Leases all or any portion of said parcel,

297 the parcel shall revert to the state of Connecticut.

298 (c) The State Properties Review Board shall complete its review of
299 the conveyance of said parcel of land not later than thirty days after it
300 receives a proposed agreement from the Department of
301 Transportation. The land shall remain under the care and control of
302 said department until a conveyance is made in accordance with the
303 provisions of this section. The State Treasurer shall execute and deliver
304 any deed or instrument necessary for a conveyance under this section,
305 which deed or instrument shall include provisions to carry out the
306 purposes of subsection (b) of this section. The Commissioner of
307 Transportation shall have the sole responsibility for all other incidents
308 of such conveyance.

309 Sec. 11. (*Effective from passage*) (a) Notwithstanding any provision of
310 the general statutes, the Commissioner of Energy and Environmental
311 Protection shall convey to the town of Portland a parcel of land located
312 in the town of Portland, at no cost. Said parcel of land has an area of
313 approximately 7.29 acres and is identified as Lot 35 in Block 00 on
314 Portland Assessor's Map 011 and further identified in a deed dated
315 April 7, 1987, and recorded in Volume 198 at page 102 of the town of
316 Portland Land Records. The conveyance shall be subject to the
317 approval of the State Properties Review Board.

318 (b) The town of Portland shall use said parcel of land for
319 recreational and tourism purposes. If the town of Portland:

320 (1) Does not use said parcel for said purposes;

321 (2) Does not retain ownership of all of said parcel; or

322 (3) Leases all or any portion of said parcel,

323 the parcel shall revert to the state of Connecticut.

324 (c) The State Properties Review Board shall complete its review of
325 the conveyance of said parcel of land not later than thirty days after it
326 receives a proposed agreement from the Department of Energy and
327 Environmental Protection. The land shall remain under the care and
328 control of said department until a conveyance is made in accordance
329 with the provisions of this section. The State Treasurer shall execute
330 and deliver any deed or instrument necessary for a conveyance under
331 this section, which deed or instrument shall include provisions to carry
332 out the purposes of subsection (b) of this section. The Commissioner of
333 Energy and Environmental Protection shall have the sole responsibility
334 for all other incidents of such conveyance.

335 Sec. 12. (*Effective from passage*) (a) Notwithstanding any provision of
336 the general statutes, the Commissioner of Emergency Services and
337 Public Protection shall convey to the town of East Hartford eight
338 parcels of land located in the town of East Hartford, at a cost equal to
339 the administrative costs of making such conveyance. The first parcel of
340 land has an area of approximately 1.76 acres and is identified as Lot 6A
341 on East Hartford Assessor's Map 24 and is located at 410 Roberts
342 Street. The second parcel of land has an area of approximately .66 acre
343 and is identified as Lot 6B on East Hartford Assessor's Map 24 and is
344 located at 420 Roberts Street. The third parcel of land has an area of
345 approximately .34 acre and is identified as Lot 6C on East Hartford
346 Assessor's Map 24 and is located at 430 Roberts Street. The fourth
347 parcel of land has an area of approximately 1.36 acres and is identified
348 as Lot 6D on East Hartford Assessor's Map 24 and is located at 432
349 Roberts Street. The fifth parcel of land has an area of approximately .58
350 acre and is identified as Lot 6E on East Hartford Assessor's Map 24 and
351 is located at 464 Roberts Street. The sixth parcel of land has an area of
352 approximately 1.21 acres of land is identified as Lot 6F on East
353 Hartford Assessor's Map 24 and is located at 470 Roberts Street. The

354 seventh parcel of land has an area of approximately .03 acre and is
355 identified as Lot 6G on East Hartford Assessor's Map 24 and is located
356 at 478 Roberts Street. The eighth parcel of land has an area of
357 approximately 4.04 acres of land and is identified as Lot 6H on East
358 Hartford Assessor's Map 24 and is located at 480 Roberts Street. The
359 conveyance of said parcels shall be subject to the approval of the State
360 Properties Review Board.

361 (b) The town of East Hartford shall use said parcels of land for
362 development purposes. If the town of East Hartford:

363 (1) Does not use any of said parcels for said purposes;

364 (2) Does not retain ownership of any of said parcels; or

365 (3) Leases all or any portion of any of said parcels,

366 the parcel at issue shall revert to the state of Connecticut.

367 (c) The State Properties Review Board shall complete its review of
368 the conveyance of said parcels of land not later than thirty days after it
369 receives a proposed agreement from the Department of Emergency
370 Services and Public Protection. The land shall remain under the care
371 and control of said department until a conveyance is made in
372 accordance with the provisions of this section. The State Treasurer
373 shall execute and deliver any deed or instrument necessary for a
374 conveyance under this section, which deed or instrument shall include
375 provisions to carry out the purposes of subsection (b) of this section.
376 The Commissioner of Emergency Services and Public Protection shall
377 have the sole responsibility for all other incidents of such conveyance.

378 Sec. 13. (*Effective from passage*) (a) Notwithstanding any provision of
379 the general statutes, the Commissioner of Energy and Environmental
380 Protection shall convey to Strategic Commercial Realty, Inc., d/b/a
381 Rawson Materials a license for access, including ingress and egress and
382 the transportation of materials and products to cross two parcels of
383 state land located in the towns of Brooklyn and Canterbury
384 respectively, in exchange for three parcels of land. The first parcel of

385 land to be conveyed by Strategic Commercial Realty, Inc., d/b/a
386 Rawson Materials is approximately 5.5 acres and is located northerly
387 and abutting the Quinebaug River and south of the proposed gravel
388 driveway. The second parcel is approximately 6.5 acres and is located
389 generally southerly of the Quinebaug River and abutting other land of
390 the state on the northeast and southwest, and the conveyance of said
391 parcel is contingent upon (1) the reservation of riparian rights by
392 Rawson Materials to continue its diversion of the Quinebaug River in
393 association with the washing of earthen materials, (2) two fifty-foot
394 permanent easements granted by the state over said parcel for the
395 purpose of accessing said river for the diversion of water, and (3) a
396 written waiver of the setback requirements for the removal of earthen
397 materials. The third parcel of land is approximately 30 acres and is
398 located southeasterly of the proposed driveway and bounded on the
399 east, south and west by state land and the conveyance of said parcel is
400 contingent upon the state granting a deeded right in favor of Rawson
401 Materials to remove all earthen materials located on the donated land
402 and a written waiver of the setback requirements for the removal of
403 earthen materials. The three parcels and license are more specifically
404 described in an application for such license submitted to the
405 department by Strategic Commercial Realty, Inc., d/b/a Rawson
406 Materials in November and May of 2014. The exchange of said parcels
407 of land and license shall be made simultaneously and each in
408 consideration of the other. Said license shall include the right to
409 construct a gravel driveway of approximately eighteen feet wide in
410 two sections for a combined length of approximately 2500 feet,
411 provided Strategic Commercial Realty, Inc., d/b/a Rawson Materials
412 obtains the necessary permits for such driveway and subject to any
413 conditions determined by said department. Said license shall be for a
414 term set by the department and shall not be transferable or assignable
415 without the express, written consent of said department. The exchange
416 of said parcels of land and license shall be subject to the approval of
417 the State Properties Review Board.

418 (b) The State Properties Review Board shall complete its review of
419 the exchange of said parcels of land and license not later than thirty

420 days after it receives a proposed agreement from the Department of
421 Energy and Environmental Protection. The State Treasurer shall
422 execute and deliver any deed or instrument necessary for a
423 conveyance of a license under this section. The Commissioner of
424 Energy and Environmental Protection shall have the sole responsibility
425 for all other incidents of such conveyance.

426 Sec. 14. (*Effective from passage*) (a) Notwithstanding any provision of
427 the general statutes, the Department of Energy and Environmental
428 Protection shall grant a ten-year easement for access, including ingress
429 and egress and the transportation of materials and products, to Basley
430 Road Materials, LLC over approximately 3000 feet of access road over
431 three parcels of state land located in the towns of Plainfield and
432 Killingly, in exchange for the sum of twenty thousand dollars at the
433 time of the granting of the easement and the agreement for Basley
434 Road Materials, LLC to convey a parcel of land located in the town of
435 Plainfield totaling approximately 48.3 acres after the excavation of
436 materials is completed. Said parcel is identified as the subject parcel in
437 a map entitled "Compilation Plan, Property of Pauline T. Sleboda,
438 prepared for Land Management Request Application,
439 Plainfield/Killingly, CT, Scale 1"=200', Project 1008-BD, dated Oct. 14,
440 Revisions 11/4/14, Sheet No. 1 of 1" prepared by Anchor Engineering
441 Services, Inc., and is further identified as Lot 18 in Block 125B on
442 Plainfield Assessor's Map 12. Said easement is also depicted in said
443 map as over parcels 1, 2 and 3 on said map, which parcels are
444 specifically identified as Lots 37 and 56 in Block 225 on Plainfield
445 Assessor's Map 12 and the parcel described in a deed dated June of
446 2002, and recorded in Volume 290 at pages 560 to 561 of the town of
447 Killingly Land Records.

448 (b) The State Properties Review Board shall complete its review of
449 said easement not later than thirty days after it receives a proposed
450 agreement from the Department of Energy and Environmental
451 Protection. The State Treasurer shall execute and deliver any deed or
452 instrument necessary for an easement under this section. The
453 Commissioner of Energy and Environmental Protection shall have the

454 sole responsibility for all other incidents of such easement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	SA 14-23, Sec. 3
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Department of Transportation	TF - Loss of Asset Value	about 4.9 million	None
Department of Energy and Environmental Protection	GF - Loss of Asset Value	at least 8.5	None
Treasurer; Dept. of Administrative Services	GF - Cost	Less than 1,000	None

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 16 \$	FY 17 \$
Various Municipalities	Gain of Asset Value	at least 13.4 million	None
Various Municipalities	Potential Grand List Expansion	See Below	None

Explanation

The bill has the following fiscal impact:

1. A Transportation Fund loss of asset value of approximately \$4.9 million from the transfer of a property to New Haven, Farmington and New Milford;
2. Section 1 requires the Department of Transportation (DOT) to remediate a parcel of land previously conveyed to New Haven. The cost of the doing so is unknown at the present time.
3. A General Fund loss of asset value of at least \$8.5 million from the transfer of properties to seven municipalities;

4. Section 11 requires the Department of Energy and Environmental Protection (DEEP) to convey a parcel of land to Portland. This has no fiscal impact because the land is currently under the care and control of DOT, so no land will be transferred.
5. The fiscal impact of Section 13 cannot be determined because no information is available on the value of the three acres of land (a total of 42.0 acres) that would be conveyed to DEEP in exchange for a license for access across two parcels of the state-owned Quinebaug Management Area in Brooklyn and Canterbury to Strategic Commercial Reality, Inc (d/b/a Rawson Materials).
6. The fiscal impact of Section 14 cannot be determined because no information is available on the value of the 48.3 acre parcel in Plainfield that would be conveyed to DEEP in exchange for a ten-year easement that would allow Basley Road Materials, LLC to construct an approximately 3000 ft. access road through the state-owned Quinebaug Management Area in Plainville and Killingly. The company would also pay \$20,000, which would be a revenue gain to the General Fund.
7. The fiscal impact of Section 8 is unclear (release of a right-of-way easement in Stafford) because the language does not provide any information on the amount of acreage or a street address and which state agency has care and control. Between \$500 and \$10,000 is a general range for the amount historically charged by DOT to release rights-of-way easements.
8. A minimal General Fund cost (less than \$1,000 each) to the Office of the State Treasurer and the State Properties Review Board for making the conveyances;
9. There is no fiscal impact to the General Fund related to

payments-in-lieu-of-taxes (PILOT) on state-owned property because the appropriation is insufficient to fully fund the grants and all payments are reduced on a pro rata basis.

10. The conveyances represent a potential revenue loss to the state to the extent that the state could have sold or leased the properties at fair market value.

The land conveyances are subject to the review and approval of the State Properties Review Board, which is required to review each conveyance within 30 days. Deeds or any other instruments necessary for the conveyances must be executed and delivered by the State Treasurer. These activities are part of the respective agencies' normal operations and can be accomplished with existing staff and resources.

The municipal impact for the towns listed in the table below is:

1. A total gain in asset value of at least \$13.4 million to various municipalities;
2. A revenue loss for PILOT payments on state-owned property to the degree that the parcels are eligible for PILOT. It should be noted that PILOT payments are made in arrears so this transfer of land would be reflected on the 2015 Grand List and would be reimbursed by the state in FY 18.

Further Explanation

Table 1 summarizes sections of the bill with state fiscal impacts. The parcels must be used for the purposes specified in the bill (labeled "Use Restriction") or the property will revert to the state. Table 2 summarizes changes in the conditions of prior land conveyances. Table 3 summarizes other provisions in the bill.

Table 1: Sections with a State Fiscal Impact

Sec.	From	To/Location	Acres	Value \$	Use Restriction
Transportation Fund Loss of Asset Value					
2	DOT	101 College Street, New Haven	5.0	3.3 million	Economic development
5	DOT	Farmington	2.54	1.5 million	Economic development
10	DOT	New Milford	0.29	113,692	Open space purposes
TOTAL				4.9 million	
General Fund Loss of Asset Value					
3	DEEP	Portions of Silver Sands State Park, Milford	4.73	1.5 million	Municipal purposes
4	SDE	Cubeta Stadium, Stamford	6.6	5.7 million	Recreational purposes
6	DEEP	Fort Nathan Hale Park Pier, New Haven		Not available	Recreational purposes
7	Military	National Guard Armory, Naugatuck	3.5	998,857	Education, parking or recreation
9	DECD	New Britain	0.32	27,300	Open space purposes
11	DEEP	Portland	7.29	None	Recreational and tourism purposes
12	DESPP	East Hartford	9.98	271,553	Development purposes
TOTAL				At least 8.5 million	

Table 2: Changes to Prior Conveyances

Sec.	From	To	Act/Sec.	Provision
1	DOT	New Haven	SA 14-23, Sec. 3	Require DECD approval; Land must be remediated

Table 3: Other Provisions

Sec.	Provision
8	Release state right-of-way easement over a parcel of land in Stafford.
13	Notwithstanding that requires DEEP to convey a license for access across two parcels of the state-owned Quinegaug Management Area in Brooklyn and Canterbury to Strategic Commercial Reality, Inc (d/b/a Rawson Materials) in exchange for three parcels of land with a total of 42.0 acres. The exchange is contingent on the state granting to Rawson: (1) permission to remove earthen materials from the donated land and (2) a waiver of setback requirements for removal of these materials.
14	Notwithstanding that requires DEEP to grant a ten-year easement for access to Basley Road Materials, LLC over approximately 3000 feet of access road over three parcels of state land in Plainfield and Killingly. In exchange the company will pay \$20,000 and convey a 48.3 acre parcel in Plainville to DEEP after the excavation of materials is completed.

The Out Years

State Impact: None

Municipal Impact: The minimal revenue loss of PILOT payments noted above would continue into the future

Sources: Office of Policy and Management, Department of Transportation, Department of Energy and Environmental Protection

OLR Bill Analysis**sHB 6998****AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.****SUMMARY:**

This bill:

1. authorizes conveyances in the towns of Farmington, Milford, New Britain, New Haven, New Milford, Portland, Stamford and the borough of Naugatuck;
2. amends a prior conveyance in New Haven; and
3. authorizes exchanges of licenses and easements for property in (a) Brooklyn and Canterbury and (b) Killingly and Plainfield.

The bill also requires the state to release all rights to a right-of-way easement over a parcel in Stafford (§ 8).

EFFECTIVE DATE: Upon passage

§§ 2-7, 9-12 — NEW CONVEYANCES

As described in Table 1, the bill authorizes the following conveyances of state property for the purposes noted. In each case, the town (or borough) is the recipient of the property.

Table 1: New Conveyances

Section	Town	Agency	Description/Purpose
2	New Haven	Department of Transportation (DOT)	5 acres for economic development
3	Milford	Department of Energy and Environmental Protection (DEEP)	Three parcels totaling 4.73 acres for municipal purposes, including (1) ensuring public access to open space and the Milford Animal Control Shelter, (2) mitigating parking demand, (3) promoting public health and safety, and (4)

			creating coastal retreat areas to enhance storm resiliency
4	Stamford	State Department of Education	6.6 acres (including improvements) for recreation
5	Farmington	DOT	Unspecified portion of a 2.54-acre parcel for economic development (see below)
6	New Haven	DEEP	Fort Nathan Hale Park Pier for recreation
7	Borough of Naugatuck	Military Department	3.5 acres (including improvements) for education, parking, or recreation
9	New Britain	Department of Economic and Community Development (DECD)	0.32 acre for open space
10	New Milford	DOT	0.29 acre for open space
11	Portland	DEEP	7.29 acres for recreation and tourism
12	East Hartford	Department of Emergency Services and Public Protection	Eight parcels totaling 9.98 acres for development

Except as noted below, each conveyance (1) must be made for the administrative costs of making the conveyance and (2) is subject to the State Properties Review Board's (SPRB) approval within 30 days. The property remains under the care and control of the transferring department until the conveyance is completed. The conveyances, except as noted below for Farmington, revert to the state if the recipient (1) does not use the property for the specified purposes, (2) does not retain ownership of the entire property, or (3) leases all or part of the property.

The bill requires that the (1) New Haven conveyance from DOT and the Portland conveyance be made at no cost and (2) costs for the Naugatuck conveyance first be approved by the borough's legislative body.

For the Farmington conveyance, the bill specifies that the portion to be conveyed is the portion that the DOT commissioner determines is not needed for highway purposes. It prohibits the conveyance from being made before the commissioner makes this determination. The bill allows the town to lease or sell the parcel for economic development but requires that any proceeds from a lease or sale be

transferred to the state. The parcel must be conveyed (1) subject to (a) the existing defined sightline easement, easement to slope, and non-access highway lines in favor of the state and (b) a sewer easement in favor of Jose R. Gaztambide and (2) with the right to use a strip of Jose R. Gaztambide's land for a sewer pipe.

§ 1 — AMENDED CONVEYANCE

The bill amends a 2014 conveyance from DOT to New Haven by eliminating a provision that exempts the state from liability for any costs or claims for (1) pollution or contamination, on or emanating from the parcel, from a discharge, spillage, uncontrolled loss, seepage, or filtration on the parcel before it is conveyed or (2) remediating the pollution or contamination.

Additionally, the bill (1) requires DOT to obtain DECD's approval before conveying the parcel and (2) prohibits DOT from conveying the parcel before it is remediated. Remediation must be done according to criteria established in DEEP regulations for remediating industrial and commercial properties in groundwater classification GB areas.

§§ 13-14 — EXCHANGES

§ 13 — *Brooklyn & Canterbury*

The bill requires DEEP to convey to Strategic Commercial Realty, Inc., d/b/a Rawson Materials ("Rawson") a license for access, including ingress, egress, and the transportation of materials and products, to cross two parcels of state land in Brooklyn and Canterbury. The license must include the right to construct an approximately 18-foot wide gravel driveway in two sections that are approximately 2,500 feet in length combined, subject to (1) Rawson obtaining the necessary permits for the driveway and (2) any conditions determined by DEEP. The license is for a term set by DEEP and is not transferable or assignable without DEEP's express, written consent.

In exchange, Rawson must convey to the state three parcels of land totaling 42 acres. The conveyance of the second of these parcels

(totaling 6.5 acres) is contingent upon (1) Rawson reserving riparian rights to continue its diversion of the Quinebaug River to wash earthen materials, (2) two 50-foot permanent easements granted by the state over the parcel to access the river for water diversion, and (3) a written waiver of the setback requirements for removing earthen materials. The conveyance of the third parcel (approximately 30 acres) is contingent upon the state granting a deeded right in favor of Rawson to remove all earthen materials located on the donated land and a written waiver of the setback requirements for removing earthen materials.

The bill requires that the exchange of land and license be made simultaneously and in consideration of each other. The exchange and license are subject to SPRB's approval within 30 days.

§ 14 — Killingly & Plainfield

The bill requires DEEP to grant a 10-year easement to Basley Road Materials, LLC for access, including ingress, egress, and the transportation of materials and products, over approximately 3,000 feet of access road over three parcels of state land in Killingly and Plainfield. In exchange, the company must pay the state \$20,000 and agree to convey to the state a 48.3-acre parcel in Plainfield after it completes its excavation. The easement is subject to SPRB's approval within 30 days.

BACKGROUND

Related Bill

sHB 5708 (File 218), reported favorably by the Environment Committee, also amends the 2014 conveyance from DOT to New Haven.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/25/2015)